

REMARKS

The Office Action dated May 6, 2004 has been reviewed and carefully considered. Claim 18 has been added. Claims 1-18 are pending in the application, of which the independent claims are 1, 2, 8, 13 and 18. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 1-17 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 5,799,081 to Kim et al. ("Kim") in view of U.S. Patent No. 6,550,008 to Zhang et al. ("Zhang") and ITU-T Recommendation H.222.0 (hereinafter "ITU-T").

As to claim 1, item 4 of the Office Action suggests that the Kim control word (col. 18, line 49) is the "stream identifier" of claim 1 of the present invention. Although the Kim control word is used to descramble the audio/video bitstream (col. 18, lines 35, 49), the applicants fail to see how descrambling a bitstream amounts to identifying the bitstream.

In addition, item 4 of the Office Action suggests that the Kim control word corresponds, in claim 1 of the present invention, to the "first key" which, according to claim 1, is generated "using the at least one control information pair." Item 4 further suggests that the at least one control information pair corresponds to: the Kim control word and the Kim signal for controlling copy protection (col. 18, lines 49-50).

Firstly, however, generation of the Kim control word does not use either (a) the Kim control word or (b) the Kim signal for controlling copy protection.

Secondly, claim 1 specifies that each control information pair has copy control information and a stream identifier, and, as set forth above, the Kim control word is not the “stream identifier” of claim 1 of the present invention.

The Office Action applies ITU-T in an effort to supply the missing “stream identifier,” but it is unclear to the applicants what motivation would have existed for replacing the Kim control word with the purported “stream identifier” in FIG. 7 of the ITU-T.

Additionally, item 4 suggests that the “information” of claim 1 is the Kim control word and the Kim signal for controlling copy protection. Since claim 1 specifies that the at least one control information pair relates to the “information,” and since item 4 suggests that the latter two are identical, these latter two cannot fairly be characterized as one relating to the other.

Zhang and ITU-T, alone or in combination, cannot make up for these deficiencies in Kim. For at least this reason, the proposed combination of references fails to render obvious the invention as recited in claim 1. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 2 recites, “the reply message includes at least one control information pair, each pair having a copy control information and a stream identifier.”

As mentioned above, however, Kim fails to disclose or suggest the “stream identifier” of claim 1, and the other applied references cannot compensate for this deficiency. For at least this reason, the proposed combination of prior art fails to render obvious the invention as recited in claim 2. Reconsideration and withdrawal of the rejection is respectfully requested.

Each of claims 8 and 13 likewise recites the stream identifier and the generating of a key using the at least one control information pair. Accordingly, and as set forth above with regard to claim 1, the proposed combination of references likewise fails to render obvious the invention as recited in claim 8 and in claim 13.

Reconsideration and withdrawal of the rejections is respectfully requested.

The remaining rejected claims each depend from one of the base claims and are likewise deemed non-obvious over the cited references for at least the same reason as that asserted for the respective base claim.

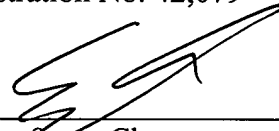
New claim 18 is a software claim based on device claim 8. Claim 18 finds support in claim 8 and in the specification (e.g., page 6, line 26 – page 7, line 5).

A check for \$86.00 is enclosed in payment of the fee for adding independent claim 18.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: August 6, 2004

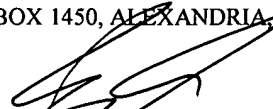
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